

Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	0

### MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1413, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the
- 2 following:
- 3 SECTION 1. IC 16-18-2-97 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 97. "Division" means
- 5 the following:
- 6 (1) For purposes of IC 16-21-8, the meaning set forth in
- 7 IC 16-21-8-0.5.
- 8 ~~(1)~~ (2) For purposes of IC 16-22-8, the meaning set forth in
- 9 IC 16-22-8-3.
- 10 ~~(2)~~ (3) For purposes of IC 16-27, a group of individuals under the
- 11 supervision of the director within the state department assigned
- 12 the responsibility of implementing IC 16-27.
- 13 ~~(3)~~ (4) For purposes of IC 16-28, a group of individuals under the
- 14 supervision of the director within the state department assigned

1 the responsibility of implementing IC 16-28.

2 ~~(4)~~ (5) For purposes of IC 16-41-40, the meaning set forth in  
3 IC 16-41-40-1.

4 SECTION 2. IC 16-18-2-295 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 295. (a) **"Provider",**  
6 **for purposes of IC 16-21-8, has the meaning set forth in**  
7 **IC 16-21-8-0.6.**

8 ~~(a)~~ (b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for  
9 IC 16-39-7) and IC 16-41-1 through IC 16-41-9 and IC 16-41-37,  
10 means any of the following:

11 (1) An individual (other than an individual who is an employee or  
12 a contractor of a hospital, a facility, or an agency described in  
13 subdivision (2) or (3)) who is licensed, registered, or certified as  
14 a health care professional, including the following:

15 (A) A physician.

16 (B) A psychotherapist.

17 (C) A dentist.

18 (D) A registered nurse.

19 (E) A licensed practical nurse.

20 (F) An optometrist.

21 (G) A podiatrist.

22 (H) A chiropractor.

23 (I) A physical therapist.

24 (J) A psychologist.

25 (K) An audiologist.

26 (L) A speech-language pathologist.

27 (M) A dietitian.

28 (N) An occupational therapist.

29 (O) A respiratory therapist.

30 (P) A pharmacist.

31 (2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or  
32 described in IC 12-24-1 or IC 12-29.

33 (3) A health facility licensed under IC 16-28-2.

34 (4) A home health agency licensed under IC 16-27-1.

35 (5) An employer of a certified emergency medical technician, a  
36 certified emergency medical technician-basic advanced, a certified  
37 emergency medical technician-intermediate, or a certified  
38 paramedic.

(6) The state department or a local health department or an employee, agent, designee, or contractor of the state department or local health department.

~~(b)~~ (c) "Provider", for purposes of IC 16-39-7-1, has the meaning set forth in IC 16-39-7-1(a).

SECTION 3. IC 16-18-2-365.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 365.5. "Victim", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.7.**

SECTION 4. IC 16-21-8-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this chapter, "division" refers to the victim services division of the Indiana criminal justice institute established by IC 5-2-6-8(a).**

SECTION 5. IC 16-21-8-0.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.6. As used in this chapter, "provider" means a hospital or licensed medical services provider that provides emergency services to a victim.**

SECTION 6. IC 16-21-8-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.7. As used in this chapter, "victim" means an alleged sex crime victim.**

SECTION 7. IC 16-21-8-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. (a) The victim services division of the Indiana criminal justice institute may not award compensation or reimbursement under this chapter unless the following conditions are met:**

**(1) If the victim is at least eighteen (18) years of age:**

~~(1)~~ (A) the sex crime ~~was~~ **must be** reported to a law enforcement officer within ~~forty-eight (48)~~ **ninety-six (96)** hours after the crime's occurrence; **and**

~~(2)~~ (B) the victim ~~or claimant has cooperated fully~~ **must cooperate to the fullest extent possible** with law enforcement personnel to solve the crime.

**(2) If the victim is less than eighteen (18) years of age, a report of the sex crime must be made to child protective services or a law enforcement officer. The division may not deny an**

1           **application for reimbursement under this subdivision based**  
2           **on the victim reporting the sex crime more than ninety-six**  
3           **(96) hours after the crime's occurrence.**

4           (b) If the ~~victim services~~ division of the ~~Indiana criminal justice~~  
5 ~~institute~~ finds a compelling reason for failure to report to or cooperate  
6 with law enforcement officials and justice requires, the ~~victim services~~  
7 ~~division of the Indiana criminal justice institute~~ may suspend the  
8 requirements of this section.

9           **(c) A claim filed for services provided at a time before the**  
10 **provision of the emergency services for which an application for**  
11 **reimbursement is filed is not covered under this chapter.**

12           SECTION 8. IC 16-21-8-6 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) When a ~~hospital~~  
14 ~~or licensed medical service~~ provider provides emergency services under  
15 this chapter to an ~~alleged sex crime~~ a victim, the ~~hospital or medical~~  
16 ~~service~~ provider shall furnish the services without charge.

17           (b) The ~~victim services~~ division of the ~~Indiana criminal justice~~  
18 ~~institute~~ shall reimburse a ~~hospital or licensed medical service~~ provider  
19 for the ~~hospital's or medical service provider's costs in providing the~~  
20 ~~services cost for providing services~~ and shall adopt rules and  
21 procedures to provide for reimbursement.

22           (c) The application for reimbursement must be filed not more than  
23 one hundred eighty (180) days after the date the service was provided.

24           **(d) The division shall approve an application for reimbursement**  
25 **filed under subsection (b) not more than one hundred twenty (120)**  
26 **days after receipt of the application for reimbursement.**

- 1           ~~(c)~~ **(e)** A ~~hospital~~ **provider** may not charge the victim for services  
2       required under this chapter despite delays in reimbursement from the  
3       ~~victim services division. of the Indiana criminal justice institute.~~

(Reference is to HB 1413 as introduced.)

**and when so amended that said bill do pass.**

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Representative Becker